

Town of Mashpee

16 Great Neck Road North, Mashpee, MA 02649
ph: (508) 539-1400

Planning Board Minutes 10-16-2013

**Mashpee Planning Board
Minutes of Meeting
October 16, 2013 at 7:00 p.m.
Wauquoit Meeting Room, Mashpee Town Hall
Approved 4-0 on 11/20/13**

Planning Board Members Present: Chairman George Petersen, Dennis Balzarini, David Kooharian, Joe Cummings, Mary Waygan

Also Present: Tom Fudala-Town Planner, Charles Rowley-Consultant Engineer

Absent: Joe Mullin

CALL TO ORDER

The Town of Mashpee Planning Board meeting was opened with a quorum in the Wauquoit Meeting Room at Mashpee Town Hall by Chairman Petersen at 7:00 p.m. on Wednesday, October 16, 2013 and the Pledge of Allegiance was recited.

APPROVAL OF MINUTES—September 18, 2013 & October 2, 2013

MOTION: Mr. Balzarini made a motion to accept the minutes of September 18th as written. Mr. Kooharian seconded the motion. All voted unanimously.

MOTION: Mr. Balzarini made a motion to accept the October 2nd minutes as written. Mr. Kooharian seconded the motion.

SPECIAL PERMIT REFERRAL

A roll call vote was taken to add to the agenda a Special Permit referral to the Cape Cod Commission for Northbridge Assisted Living on Great Neck Road South.

MOTION: Mr. Balzarini made a motion to add Northbridge Assisted Living Facility to the agenda. Mr. Kooharian seconded the motion. Mr. Cummings-yes; Mr. Balzarini-yes; Chairman Petersen-yes; Mr. Kooharian-yes

Attorney Kevin Kirrane was present to represent the applicant who was planning to construct a 68-unit memory care facility. Mr. Kirrane indicated that the project had been considered by the Design/Site Review Committee. Due to its size, the facility triggered an automatic referral to the Cape Cod Commission.

MOTION: Mr. Balzarini made a motion to refer Northbridge Mashpee to the Cape Cod Commission. Mr. Kooharian seconded the motion.

Mr. Cummings inquired about a concern regarding the buffer zone and Mr. Fudala suggested that comments could be submitted to the Cape Cod Commission or to attend the public hearing. The Planning Board would be notified of the public hearing.

All voted unanimously.

Chairman Petersen signed the document. Mr. Rowley referenced the building straddling the interior lot line and Mr. Kirrane indicated that there would likely be an ANR.

COVENANT RELEASE

Willowbend has requested a covenant release. Mr. Fudala indicated that, in 2009, the first version of the 40-unit condo project included an amendment for the Cranberry Ridge plan, located on Simons Road. Much of the road

was no longer in existence and it has been requested that the covenant be released. Mr. Rowley recommended that a note be included in the vote to release the covenant because it was no longer applicable to a road that had been eliminated by a subsequent project.

MOTION: Mr. Balzarini made a motion to add the release of the covenant to the agenda. Mr. Kooharian seconded the motion. Mr. Cummings-yes; Mr. Balzarini-yes; Chairman Petersen-yes; Mr. Kooharian-yes; Ms. Waygan-yes

MOTION: Mr. Balzarini made a motion to release the covenant on the road that will no longer exist because of a new development. Mr. Kooharian seconded the motion. All voted unanimously.

The document was signed by Planning Board members.

PUBLIC HEARING

7:10 Applicant: Federal National Mortgage Association c/o Cotuit Solar LLC

Location: 36 Savanna's Path / Trinity Place

Request: Approval of 1-lot definitive subdivision plan and road designs (Continued from 9/18)

The appointed time having arrived, Chairman Petersen read the request. Conrad Geyser, of Cotuit Solar, indicated that a written request for an extension beyond the 60-day review had been submitted. Mr. Fudala referenced an email received from the Project Manager detailing a list of waivers to be requested. Mr. Rowley recommended that each waiver request be discussed and voted on by the Board, once the plan was received.

MOTION: Mr. Balzarini made a motion to continue the public hearing to November 6 at 7:10 p.m. Mr. Kooharian seconded the motion. All voted unanimously.

Mr. Fudala advised Mr. Geyser to re-word and correct the letter of extension.

MOTION: Mr. Balzarini made a motion to give an extension of 60 days from today. Mr. Kooharian seconded the motion. All voted unanimously.

BOARD ITEMS

New Business

Amendment to Cape Cod Commission Regulations Chapter H-Ms. Waygan noted that the regulations had been forwarded to the Assembly of Delegates, supported by the Cape Cod Commission and the subcommittee.

Ms. Waygan summarized that the regulations would allow the Cape Cod Commission to raise the thresholds, triggering Cape Cod Commission review of projects and allowing them to increase the size to allow larger buildings. The Chair expressed concern that it could be abused and there was question as to why Mashpee delegates had not informed the Planning Board of the change. Ms. Waygan was unsure as to whether a final vote had been taken and indicated that she would investigate further. It was recommended that the delegates address the Board at least one time per year. Mr. Fudala stated that there were initially set thresholds, but in 2009 a process was established for towns to propose local thresholds that would be different from statutory thresholds. The amendments would not allow the Cape Cod Commission to change local thresholds. Ms. Waygan pointed out that it would be difficult for Mashpee to be overridden as it had a Local Comprehensive Plan in place and zoning to allow concentrated development.

C. Rowley Expense Vouchers-There were no invoices at this time.

Old Business

Discussion of Greenways Proposal and Surrounding Commercial Property-Ms.

Waygan had been in contact with Beverly Waygan. Ms. Waygan will schedule Saturday afternoon meetings at the library, noting that it would have to be a posted Planning Board meeting. Mr. Fudala recommended identifying a new Mashpee Commons contact.

- MMR Military Civilian Community Council-Update of MMR Joint Land Use Study-There was no update.

Design Review Committee-Mr. Cummings reported that there were sign issues associated with Pet Depot and a re-design was required. A boxing studio located at 22 Falmouth will require CPR training and had an informal business plan. The assisted living facility to be located at Old Barnstable and Route 151 had redesigned its exit in order to satisfy the residents at Southport. However, the entrance may need to be changed back to being located directly across from the Southport entrance. The Committee voted to return it to its original design. Mr. Cummings pointed out that there would be little traffic and Mr. Fudala added that the peak afternoon traffic hour

would be a total of 16 trips. There were also conditions regarding the Fire Department that would need to be resolved. Mr. Cummings also reported that a new building had been proposed for 117 Industrial Drive. Mr. Fudala stated that it was the EDIC parcel with plans to sell it to an auto repair and landscape facility. Mr. Fudala stated that the parcel fronted on an un-built subdivision street, with a covenant on record, so the Board would be involved with consideration of the project.

Environmental Oversight Committee-There was no meeting.

Historic District Commission- No update

Community Preservation Committee-Ms. Waygan reported that applications were being accepted for funding requests. Applications could be picked up at the Town Manager's office for projects related to open space and recreation, affordable housing and historic preservation.

Charter Review-No update at this time.

CORRESPONDENCE

- David Boucher of R.H. White, Inc. – August 2013 SouthCape Village WWTP report – N=9.4
- Cape Cod Commission – Cover letter & copy of adopted Cape-wide Fertilized Management DCPC
- Town Meeting will be Monday, October 21 with Planning Board sponsored articles of 18, 19, 20, 21, 22. Chairman Petersen will attend the meeting.

ADJOURNMENT

MOTION: Mr. Balzarini made a motion to adjourn. Mr. Kooharian seconded the motion. All voted unanimously. The meeting adjourned at 7:35 p.m.

Respectfully submitted,

Jennifer M. Clifford
Board Secretary

LIST OF DOCUMENTS

- Email Regarding Waivers for Savanna's Path
- Planning Board Recommendations for Town Meeting Articles
- Mashpee Waters Brochure
- MassDOT Healthy Transportation Policy Directive